

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NEW JERSEY CARPENTERS HEALTH FUND, :
NEW JERSEY CARPENTERS VACATION FUND :
AND BOILERMAKER BLACKSMITH NATIONAL :
PENSION TRUST, *on Behalf of Themselves and All* :
Others Similarly Situated, :

Plaintiffs, :

v. :

RESIDENTIAL CAPITAL, LLC, RESIDENTIAL :
FUNDING, LLC, RESIDENTIAL ACCREDITED :
LOANS, INC., BRUCE J. PARADIS, KENNETH M. :
DUNCAN, DAVEE L. OLSON, RALPH T. FLEES, :
LISA R. LUNDSTEN, JAMES G. JONES, DAVID :
M. BRICKER, JAMES N. YOUNG, RESIDENTIAL :
FUNDING SECURITIES CORPORATION D/B/A :
GMAC RFC SECURITIES, GOLDMAN, SACHS & :
CO., RBS SECURITIES, INC. F/K/A/ GREENWICH :
CAPITAL MARKETS, INC. D/B/A RBS :
GREENWICH CAPITAL, DEUTSCHE BANK :
SECURITIES, INC., CITIGROUP GLOBAL :
MARKETS, INC., CREDIT SUISSE SECURITIES :
(USA) LLC, BANK OF AMERICA CORPORATION :
AS SUCCESSOR-IN-INTEREST TO MERRILL :
LYNCH, PIERCE, FENNER & SMITH, INC., UBS :
SECURITIES, LLC, JPMORGAN CHASE, INC., *AS* :
SUCCESSOR-IN-INTEREST TO BEAR, STEARNS & :
CO., INC., AND MORGAN STANLEY & CO., INC., :

Defendants.
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Case No.: 08-CV-8781 (HB)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that New Jersey Carpenters' Health Fund ("Carpenters Health Fund"), New Jersey Carpenters' Vacation Fund ("Carpenters Vacation Fund") and Boilermaker Blacksmith National Pension Trust ("Boilermakers" together the "Lead Plaintiffs") along with the Intervenor Plaintiffs Iowa Public Employees' Retirement System ("IPERS"), Midwest Operating Engineers Pension Trust ("Midwest OE"), Orange County Employees'

Retirement System (“OCERS”) and Police and Fire Retirement System of the City of Detroit (“PFRS”) (collectively with Lead Plaintiffs, the “Plaintiffs”) through the undersigned counsel, hereby move this Court pursuant to Federal Rule of Civil Procedure 54(b) for reconsideration of the Court’s March 26, 2010 order dismissing certain claims relating to thirteen offerings of mortgage backed securities (“MBS”) based on an intervening change of controlling law.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Plaintiffs submit herewith a Memorandum of Law in Support of their Motion for Reconsideration. This Motion is based on the Memorandum of Law in Support and all prior pleadings and proceedings in this case.

Dated: New York, New York
November 16, 2012

Respectfully submitted,

COHEN MILSTEIN SELLERS & TOLL PLLC

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